IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 6851 of 2007

SMT. MALKA SEFI
V/S
STATE & ORS.

Mr. RS Mertia, for the appellant / petitioner

Mr. B.L.BHATI, Dy.G.A., for the respondent State

Date of Order : 20.11.2007

HON'BLE SHRI N P GUPTA,J.
HON'BLE SHRI MUNISHWAR NATH BHANDARI,J.

ORDER

Heard learned counsel for the petitioner. From perusal of the reply to the writ petition filed by the State Government, it appears that the petitioner lodged the report for the Offences under SEctions 363 and 366 IPC on 10.02.2007. Thereafter, the police recovered the girl and her statements were recorded under Section 164 Cr.P.C. wherein she disclosed that she has contacted the marriage with respondent No. 4 out of her free will. Copy of the statements has been produced as Annexure R/1 and photographs of the marriage have also been produced as Annexure R/2. It was found that no offence was made out. No rejoinder to this reply has been filed, and it is informed, that final report has already been accepted.

In that view of matter, it cannot be said that the girl is in any illegal detention. Simply because, the

petitioner claims the girl to have contacted marriage illegally, it cannot be said that she is under illegal detention.

The habeas corpus petition is therefore, dismissed.

(MUNISHWAR NATH BHANDARI),J. (N P GUPTA),J.

preety